
Bischoff Partners, LLC

Attorneys at Law

Suite 600
217 North Jefferson Street
Chicago, Illinois 60661

Telephone 312-466-9100
Facsimile 312-466-1186

EPA Region 5 Records Ctr.



265486

November 27, 2002

Thomas J. Krueger
Associate Regional Counsel
United States Environmental Protection
Agency
77 West Jackson Boulevard (C-14J)
Chicago, IL 60604-3590

Re: Ellsworth Industrial Park -- Special Notice Letter

Dear Tom:

As you know, we represent Downers Grove National Bank, Trust No. 85-77, owner of 5400-02-08 James Avenue, Downers Grove, Illinois (the "Owner"), in connection with the captioned matter. I am writing to you today to request under the Freedom of Information Act all information and documentation relating to the subject matter, including, without limitation, the site specific well data relied on by USEPA in sending its Special Notice Letter, but not disclosed to the Owner or to my knowledge any other recipient of the Special Notice Letter (the "Group").

The Owner needs the site specific well data in order to fully understand the issues of this matter and to effectively respond to the USEPA's requests. As a recipient of USEPA's October 11, 2002 Special Notice Letter, the Owner is asked, among other things, to present a good faith offer by December 17, 2002, including "a discussion of interim response measures that the PRP's may conduct to reduce or eliminate current exposures to contamination prior to implementation of the RI." Thus far, the Owner has been provided only with very generalized information about alleged contamination and exposures. The Owner cannot in good faith discuss interim response measures to eliminate "current exposures," without specific well data.

It is odd that the information would be available in the event of litigation, but is not available to the Group while it attempts to avoid litigation. The Owner's ability to respond to the Special Notice Letter and perhaps the submission of a Group offer is directly impacted by the non-availability of this information.

Please forward this information as soon as possible so the Group has a chance to meet the December 17, 2002 deadline.

Bischoff Partners, LLC

Thomas J. Krueger
November 27, 2002
Page 2

Very Truly Yours,

BISCHOFF PARTNERS, LLC

A handwritten signature in black ink, appearing to read 'Paul Lubanski', written in a cursive style.

Paul Lubanski